Convention on the Rights of the Child

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Committee on the Rights of the Child
Eightieth session
14 January–1 February 2019
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the combined fifth and sixth periodic reports of Belgium

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 12 October 2018. The Committee may take up all aspects of children's rights set out in the Convention and the Optional Protocols thereto during the dialogue with the State party.

Part I

1. Please provide information on the measures taken to establish a system of coordination between the federal, community, regional and local levels. Please describe the role of the National Commission for the Rights of the Child in this regard. With respect to paragraphs 24 to 33 of the State party's report (CRC/C/BEL/5-6), please indicate whether the State party plans to adopt a national strategy or an action plan for the implementation of the Convention.

2. Please inform the Committee how the State party's budgeting process allows for the specific identification of budgets allocated to child-related issues in the relevant sectors and bodies, including indicators and a follow-up system at all levels. Please also provide information on any budgetary allocations aimed at children in vulnerable situations, such as child refugees, asylum seekers and migrants, Roma children, children in street situations and children living in poverty.

3. Please inform the Committee of the measures taken to develop a centralized system for the collection and analysis of data, disaggregated by, inter alia, age, sex, ethnic and national origin, urban or rural area, geographic location, disability, migration status and socioeconomic status, in order to effectively monitor and evaluate the impact of laws, policies and programmes in all areas covered by the Convention and the Optional Protocols thereto.

4. Please describe the measures taken to promote the participation of all children in decision-making at all levels of government, within the family and in schools and communities, with a particular focus on children in vulnerable situations.

5. Please inform the Committee of the measures taken to ensure that all forms of corporal punishment of children in family, alternative care and day-care settings are fully prohibited by law and indicate the status of the proposed bill. Please also inform the Committee of the steps taken to put an end to child sexual abuse and to all forms of gender-based violence against girls.

6. Please provide information on measures taken to provide early childhood care services and to ensure that those services are accessible to all children, including children from socially vulnerable families, by reducing the disparities between municipalities. Please describe the measures taken to implement the Act of 19 March 2017 facilitating the delegation of parental authority to foster families and the steps taken to avoid separating children from their biological family and to reduce long waiting times.

7. Bearing in mind the differences in legislation and practice between the various communities and regions (see paragraphs 110 to 120 of the State party's report), please inform the Committee of the measures taken at the national level to improve access to specialized care and treatment, especially for children with disabilities. Please also describe the measures taken to provide inclusive education for children with disabilities in mainstream schools and the budget allocated for that purpose.

8. Please inform the Committee of the measures taken to remove the obstacles that prevent children from gaining access to health services, including mental health services, such as financial costs, waiting lists and lack of infrastructure. With respect to paragraphs 133 to 135 of the State party's report, please provide information on the progress made in eliminating harmful practices such as female and intersex genital mutilation and child marriage.

9. With regard to paragraphs 34 and 35 of the State party's report, please inform the Committee of the outcomes of the 2013–2014 national action plan to combat child poverty and the 2016–2019 third federal anti-poverty plan and describe their impact in terms of child poverty reduction. Please describe the measures taken to provide adequate housing for children living in poverty and to remedy the situation of homeless children, including those of foreign origin, by providing them with adequate accommodation.

10. Please inform the Committee of the measures taken to abolish school fees and to ensure equal access to quality education for all children, irrespective of their socioeconomic or migration status. Please also provide information on progress made in preventing school exclusions and bullying.

11. Please provide updated information on the treatment of asylum-seeking and refugee children who are with their family or unaccompanied, including any cases of detention, and on access to adequate housing at all stages of the asylum application procedure. Please explain how the State party upholds the principle of the best interests of the child in its asylum procedures.

12. Please provide information on policies designed to reduce greenhouse gas emissions and progress made in that regard, especially in the transport sector, with the aim of mitigating the adverse effects of climate change on children in Belgium and abroad. Please also describe the policies and measures adopted to reduce air pollution in order to protect children's health.

13. Taking into account the Committee's concluding observations under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/BEL/CO/1), please inform the Committee of the measures taken to give effect to its recommendations, especially those in paragraph 18 concerning the identification and social integration of asylum-seeking, refugee and migrant children who have been involved in or affected by armed conflict. Please describe the measures taken to protect the children of foreign fighters in the Syrian Arab Republic and Iraq with Belgian nationality, who may be in grave and imminent danger.

14. With regard to the Committee's concluding observations under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC/C/OPSC/BEL/CO/1), please provide information on the steps taken to give effect to the recommendations contained therein, including those in paragraph 24 (preventive measures), paragraph 26 (sex tourism) and paragraph 36 (protection of the rights and interests of victims). Please also supply information on the efforts made to combat the problem of "lover-boys".

Part II

15. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

(a) New bills or laws, and their respective regulations;

(b) New institutions (and their mandates) or institutional reforms;

(c) Recently introduced policies, programmes and action plans and their scope and financing;

(d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

16. Please provide consolidated information for the past three years on the budget lines allocated to child-related issues and the social sector, indicating the percentage of the total national budget and of the gross national product that each budget line represents. Please also provide information on the geographic allocation of those resources.

17. Please provide, if available, updated statistical data for the past three years, disaggregated by age, sex, ethnic origin, national origin, geographic location, socioeconomic status and migration status, on:

(a) Cases of abuse and violence against children, including all forms of corporal punishment, as well as prosecutions and sentences handed down in the State party in such cases;

(b) Asylum-seeking, refugee and migrant children, including those in immigration detention centres, shelters and street situations;

(c) Children working in the informal sector and children in street situations;

(d) Children living in poverty and in inadequate housing;

(e) Child victims of harmful practices, including female genital mutilation and child marriage.

18. Please provide data for the past three years, disaggregated by age, sex, socioeconomic background, ethnic origin and geographic location, regarding the situation of children deprived of a family environment, stating the number of children who have been:

(a) Separated from their parents;

(b) Placed in institutions;

(c) Placed with foster families;

(d) Adopted domestically or through intercountry adoptions.

19. Please provide data for the past three years, disaggregated by age, sex, type of disability, ethnic origin and geographic location, on the number of children with disabilities:

(a) Living with their families;

(b) Living in institutions;

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

(e) Attending special schools;

(f) Out of school;

(g) Abandoned by their families.

20. Please provide, if available, updated statistical data for the past three years, disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, on children in conflict with the law who have been:

(a) Arrested;

(b) Placed in pretrial detention;

(c) Placed in detention;

(d) Placed in diversion programmes.

21. Please provide the Committee with an update of any data in the report that may have become outdated by more recent data collected or other new developments.

22. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.